## BOARD OF SUPERVISORS STAFFORD, VIRGINIA

MINUTES

Regular Meeting
April 23, 2013

<u>Call to Order</u> The regular meeting of the Stafford County Board of Supervisors was called to order by Susan B. Stimpson, Chairman, at 3:01p.m., on Tuesday, April 23, 2013, in the Board Chambers, at the George L. Gordon, Jr., Government Center.

<u>Roll Call</u> The following members were present: Susan B. Stimpson, Chairman; Robert "Bob" Thomas, Jr., Vice Chairman; Jack R. Cavalier; Paul V. Milde III; Ty A. Schieber; Gary F. Snellings; and Cord A. Sterling.

Also in attendance were: Anthony Romanello, County Administrator; Charles Shumate, County Attorney; Marcia Hollenberger, Chief Deputy Clerk; Pamela Timmons, Deputy Clerk; associated staff, and interested parties.

Presentation of Proclamations to Recognize and Commend Linda Billingsley for 30 years of service in the Commissioner of the Revenue's Office and Joan Durgin for 27 years of service in the Commissioner of the Revenue's Office Ms. Stimpson and Commissioner of the Revenue, Mr. Scott Mayausky, presented the proclamations and thanked Ms. Billingsley and Ms. Durgin for their service and dedication to the citizens of Stafford County.

<u>Presentation of the Golden Tap Award to Mr. Larry Chronister</u> Chairman of the Utilities Commission, Mr. Bill Tignor, presented the award to Mr. Chronister.

Ms. Stimpson congratulated Sheriff Charles Jett on the 35<sup>th</sup> anniversary of his working for Stafford County.

<u>Presentations by the Public</u> The following members of the public desired to speak:

Alane Callander - Budget, Tax Rate

<u>Presentations by Members of the Board</u> Board members spoke on the topics as identified:

Mr. Milde - Deferred

Mr. Schieber - Proffer Guidelines Committee, overview to Board on May 7<sup>th</sup>; Shared Services Assessment, meeting with Joint School Board /Board of Supervisors' Committee in May re. independent analysis

Mr. Snellings - Deferred

Mr. Sterling - Finance, Audit, and Budget Committee update of 4/18/13 special meeting; FY2014 budget overview; salary/step increase to Schools; VRS; budget ups and downs; Infrastructure Committee update including Embrey Mill indoor recreation facility; Rocky Pen Run;

Courthouse Streetscape project; Route 1 corridor study

Mr. Thomas - CPMT meeting and upcoming audit; Budget amendments worked on with Supervisor Snellings, Holly Hazard, and Stephanie

Johnson; Telecommunication towers discussion on May 7, 2013

Mr. Cavalier - Public Safety Committee update including approval of new pumper

truck at Station 9; Stormwater pond safety regulations; Woodstream Trail, Option 3; Distracted driving ordinance to BOS on May 7<sup>th</sup>; No shooting zones (Ms. Stimpson requested an update

for the full Board)

Ms. Stimpson - Deferred

Report of the County Attorney Mr. Shumate deferred.

Report of the County Administrator Mr. Anthony Romanello, County Administrator, introduced Mr. Chris Hoppe, Capital Projects Manager, who gave an update on parks bond projects; and Mr. Mike Smith, Public Works Director, who gave an update on transportation bond/road projects. Mr. Sterling requested that Mr. Smith work with Verizon/FIOS to increase the pace of the work on Poplar Road.

<u>Legislative</u>; <u>Additions and Deletions to the Agenda</u> There were no additions or deletions to the agenda.

<u>Legislative</u>; <u>Consent Agenda</u> Mr. Sterling motioned, seconded by Mr. Thomas to adopt Items 5 through 15, omitting Items 13 and 14.

The Voting Board tally was:

Yea: (7) Cavalier, Milde, Schieber, Snellings, Sterling, Stimpson, Thomas

Nay: (0)

## Item 5. Legislative; Approve Minutes of the April 9, 2013 Meeting

## <u>Item 6. Finance and Budget; Approve Expenditure Listing</u>

## Resolution R13-132 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL) DATED APRIL 9, 2013 THROUGH April 22, 2013

WHEREAS, the Board appropriated funds to be expended for the purchase of goods and services in accordance with an approved budget; and

WHEREAS, the payments appearing on the above-referenced Listing of Expenditures represent payment of \$100,000 and greater for the purchase of goods and/or services which are within the appropriated amounts;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the  $23^{rd}$  day of April 2013, that the above-mentioned EL be and hereby is approved.

Item 7. Public Works; Request VDOT to Include Sentinel Ridge Lane and Redoubt Court in Poplar Hills Subdivision, Section 4, into the Secondary System of State Highways

#### Resolution R13-118 reads as follows:

A RESOLUTION TO PETITION THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE SENTINEL RIDGE LANE AND REDOUBT COURT WITHIN POPLAR HILLS, SECTION 4, INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS

WHEREAS, the Board, pursuant to Virginia Code § 33.1-229, desires to include Sentinel Ridge Lane and Redoubt Court within Poplar Hills, Section 4, into the Secondary System of State Highways; and

WHEREAS, the Virginia Department of Transportation (VDOT) inspected these streets and found them acceptable;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 23<sup>rd</sup> day of April, 2013 that VDOT be and it hereby is petitioned to include the following streets within Poplar Hills, Section 4, into the Secondary System of State Highways; and

Street Name/	Station	Length
Route Number	Station	Length
Sentinel Ridge Lane	From: Brooke Road (SR-608)	0.73 mi.
(SR-2105)	To: Redoubt Court (SR-2106)	ROW 50'
Redoubt Court	From: Sentinel Ridge Lane(SR-2105)	0.09 mi.
(SR-2106)	To: 0.09 mi. W. Inter. Sentinel Ridge Lane (SR-2105)	ROW 50'
Sentinel Ridge Lane	From: Redoubt Court (SR-2106)	0.16 mi.
(SR-2105)	To: 0.16 mi. N. Inter. Redoubt Court (SR-2106)	ROW 50'

An unrestricted right-of-way, as indicated above, for these streets with necessary easements for cuts, fills, and drainage is guaranteed, as evidenced by Plat of Record entitled, Popular Hills, Section 4, recorded in PM040000239 with LR 040040534 on October 19, 2004; and

BE IT FURTHER RESOLVED that the County Administrator or his designee shall forward a copy of this resolution to the developer and to the VDOT Transportation and Land Use Director, Fredericksburg District.

<u>Item 8. Public Works; Award a Construction Contract and Appropriate Funding for Renovation of Space Formerly Occupied by the Commonwealth's Attorney's Office</u>

#### Resolution R13-127 reads as follows:

A RESOLUTION TO AWARD A CONSTRUCTION CONTRACT AND APPROPRIATE FUNDING FOR RENOVATION OF THE COURTHOUSE OFFICES

WHEREAS, the County desires to renovate the office space formerly occupied by the Commonwealth Attorney and his staff for use by the judges assigned in Stafford County; and

WHEREAS, the area will be renovated to complete two additional judge's chambers, a conference room, and Victim-Witness waiting areas adjacent to the Courtrooms; and

WHEREAS, the design and engineering is complete and the project was advertised for bids; and

WHEREAS, Tovan Construction, Inc. submitted the lowest responsive and responsible bid in the amount of \$281,834; and

WHEREAS, staff reviewed the proposal and determined it is reasonable for the scope of the services provided; and

WHEREAS, additional costs associated with the project total \$228,200, for a total required appropriation of \$510,034 from the 2008 Lease Bond Revenue proceeds to the FY2013 Capital Projects Fund;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 23<sup>rd</sup> day of April, 2013, that the County Administrator be and he hereby is authorized to budget and appropriate Five Hundred Ten Thousand Thirty-four Dollars (\$510,034) in 2008 Lease Revenue Bond proceeds to the FY2013 Capital Projects Fund budget; and

BE IT FURTHER RESOLVED that the County Administrator be and he hereby is authorized to execute a contract with Tovan Construction, Inc., for renovation of the courthouse offices, in an amount not to exceed Two Hundred Eighty-one Thousand Eight hundred Thirty-four Dollars (\$281,834), unless modified by a duly-authorized change order.

<u>Item 9. Public Works; Approve Design of Poplar Road and Mountain View Road Intersection Improvements Project</u>

#### Resolution R13-129 reads as follows:

A RESOLUTION TO APPROVE THE DESIGN OF THE POPLAR ROAD (SR-616) AND MOUNTAIN VIEW ROAD (SR-627) INTERSECTION IMPROVEMENTS PROJECT

WHEREAS, the County advanced design of the Poplar Road and Mountain View Road Intersection Improvements Project, UPC #100622, to the point where acquisition of right-of-way may proceed; and

WHEREAS, on February 27, 2013, the County and the Virginia Department of Transportation (VDOT) completed the required public hearing for the project, and the County prepared transcripts of the proceedings and is prepared to request authorization for right-of-way acquisition from the Commonwealth Transportation Board (CTB); and

WHEREAS, Board approval of the road design is necessary for VDOT to consider authorization for right-of-way acquisition from the CTB; and

WHEREAS, VDOT must forward this request and Resolution to the CTB for right-of-way authorization;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 23<sup>rd</sup> day of April, 2013, that the design of the Poplar Road and Mountain View Road Intersection Improvements Project is approved; and

BE IT FURTHER RESOLVED that VDOT is requested to forward this Resolution to the CTB for authorization of the project for right-of-way acquisition.

<u>Item 10. Public Works; Authorize a Joint Public Hearing with VDOT for the Secondary Six-Year Improvement Plan (SSYP)</u>

## Resolution R13-91 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A JOINT PUBLIC HEARING WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO CONSIDER VDOT'S FY2014-FY2019 SECONDARY SYSTEM SIX-YEAR IMPROVEMENT PROGRAM

WHEREAS, the Virginia Department of Transportation (VDOT) is responsible for the construction and maintenance of the Secondary System of State Highways (SSYS) in the County; and

WHEREAS, the Board sets priorities for road improvements in the County for the Secondary System Six-Year Improvement Program (SSYP); and

WHEREAS, the Board desires to receive the funding to complete road improvement priorities in the County provided by the proposed FY2014-FY2019 SSYP; and

WHEREAS, pursuant to Virginia Code § 33.1-70.01, the Board shall conduct a joint public hearing with VDOT prior to adopting the proposed FY2014-FY2019 SSYP;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 23<sup>rd</sup> day of April 2013, that the County Administrator be and he hereby is authorized to advertise a joint public hearing with VDOT to consider the proposed FY2014-FY2019 SSYP.

Item 11. Public Works; Authorize a Public Hearing to Convey Easements and Right-of-Way on County-Owned Property for the Mountain View Road Improvement Project

#### Resolution R13-134 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMIINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER THE CONVEYANCE OF COUNTY-OWNED PROPERTY AS ROAD RIGHT-OF-WAY TO VDOT; AND PERMANENT DRAINAGE EASEMENT AND UTILITY EASEMENT TO BE CONVEYED TO NORTHERN VIRGINIA ELECTRIC COOPERATIVE (NOVEC), FOR THE MOUNTAIN VIEW ROAD IMPROVEMENT PROJECT

WHEREAS, the Board identified the completion of road improvements on Mountain View Road between Rose Hill Farm Drive and 0.25 miles north of Joshua Road as a critical part of Stafford County's road improvement plan; and

WHEREAS, these improvements were included in the 2008 Transportation Bond Referendum; and

WHEREAS, the Board approved the acquisition of the properties necessary for the completion of the road improvements and County staff is in the process of acquiring the necessary portions of property for right-of-way, and permanent drainage and utility easements; and

WHEREAS, in order for the road improvement project to proceed, Stafford County must convey portions of Tax Map Parcel 18-74 to VDOT and NOVEC; and

WHEREAS, the property required is One Hundred Twenty-three square feet (123 sq. ft.) of right-of-way to be conveyed to VDOT; Two Hundred Eighty-eight square feet (288 sq. ft.) of permanent drainage easement, and Two Thousand Five Hundred Fifty-three square feet (2,553 sq. ft.) of utility easement to be conveyed to Northern Virginia Electric Cooperative (NOVEC); and

WHEREAS, the Board is required to hold a public hearing prior to conveying property, pursuant to Virginia Code § 15.2-1800(B);

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 23<sup>rd</sup> day of April 2013, that the Board be and it hereby does authorize the County Administrator to advertise a public hearing to receive public testimony, and consider the conveyance of portions of Tax Map Parcel 18-74 in the following amounts: One Hundred Twenty-three square feet (123 sq. ft.) of right-of-way to VDOT; Two Hundred Eighty-eight square feet (288 sq. ft.) of permanent drainage easement and Two Thousand Five Hundred Fifty-three square feet (2,553 sq. ft.) of utility easement to be conveyed to NOVEC.

Item 12. Legislative; Recognize and Commend Linda Billingsley for 30 Years of Service; and Joan Durgin for 27 Years of Service to the Office of the Commissioner of the Revenue

## Proclamation P13-08 reads as follows:

A PROCLAMATION TO RECOGNIZE AND COMMEND LINDA BILLINGSLEY FOR 30 YEARS SERVICE TO THE COUNTY AS AN EMPLOYEE OF THE COMMISSIONER OF THE REVENUE'S OFFICE

WHEREAS, Linda Billingsley will retire on April 30, 2013; and

WHEREAS, for 30 years, Linda worked as a dedicated public servant in the Office of the Commissioner of the Revenue; and

WHEREAS, Linda always served the public with courtesy and respect and went above and beyond to assist individuals and businesses; and

WHEREAS, Linda started her career in the office of the Commissioner of the Revenue as a Tax Clerk I, and through hard work and commitment to the office, was promoted over the years, obtaining the position of Commissioner of the Revenue, Deputy III; and

WHEREAS, in addition to assisting the public, Linda's duties include personal property appraising, administration of fiduciary taxes, processing state income taxes, auditing businesses, budget and personnel management and management of the State Compensation Board policies; and

WHEREAS, in 2006 Linda was promoted to the position of tax auditor, setting up a compliance program that insures uniformity and compliance in the taxation of businesses; and

WHEREAS, in 2003, through the University of Virginia's Weldon Cooper Center, Linda earned the designation of Master Deputy Commissioner of the Revenue; and

WHEREAS, Linda is a loving wife, mother, and grandmother to one son and two grandchildren; and

WHEREAS, Linda is respected by her fellow employees for her professionalism and work ethic;

NOW THEREFORE BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 23<sup>rd</sup> day of April, 2013, that it be and hereby does recognize and commend Linda Billingsley for 30 years of dedicated service to the citizens of Stafford County.

#### Proclamation P13-09 reads as follows:

A PROCLAMATION TO RECOGNIZE AND COMMEND JOAN DURGIN FOR 27 YEARS SERVICE TO THE COUNTY AS AN EMPLOYEE OF THE COMMISSIONER OF THE REVENUE'S OFFICE

WHEREAS, Joan Durgin will retire on April 30, 2013; and

WHEREAS, for 27 years, Joan worked as a dedicated public servant in the Office of the Commissioner of the Revenue; and

WHEREAS, Joan started her career in the office of the Commissioner of the Revenue as a Reassessment Clerk and through hard work she was promoted over the years, holding several different positions and became a Deputy Commissioner of the Revenue II; and

WHEREAS, Joan tirelessly served the Commissioner's office and Stafford County, working with the Office of Planning & Zoning, Title Researchers, Attorneys, and the Clerk of the Court, to ensure that land records are both accurate and processed in a timely manner; and

WHEREAS, Joan served in the capacity of office manager, overseeing both the County Budget process and the State Compensation board processes; and

WHEREAS, in 2011, through the University of Virginia's Weldon Cooper Center, Joan earned the designation of Master Deputy Commissioner of the Revenue; and

WHEREAS, Joan is a loving and devoted mother and grandmother to five children, nineteen grandchildren, and one great grandchild; and

WHEREAS Joan is respected by her fellow employees for her professionalism and work ethics;

NOW THEREFORE BE IT PROCLAIMED by the Stafford County Board of Supervisors on this 23<sup>rd</sup> day of April, 2013, that it be and hereby does recognize and commend Joan Durgin for 27 years of dedicated service to the citizens of Stafford County.

Item 15. Legislative; Approve Appointment of Jack Cavalier to the Community and Economic Development Committee and the Stafford Technology and Research Park 501(C)3 Organization

Item 13. Planning and Zoning; Authorize a Public Hearing to Consider an Amendment to the Fee Schedule for Transfer of Development Rights Following discussion, Mr. Milde motioned, seconded by Mr. Thomas, to adopt proposed Resolution R13-133.

## The Voting Board tally was:

Yea: (6) Cavalier, Milde, Schieber, Snellings, Sterling, Thomas

Nay: (1) Stimpson

#### Resolution R13-133 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER AMENDING AND REORDAINING THE FEE FOR TRANSFER OF DEVELOPMENT RIGHTS APPLICATION REVIEW SERVICES PROVIDED BY THE DEPARTMENT OF PLANNING AND ZONING

WHEREAS, Virginia Code §§ 15.2-2240 and 15.2-2286 authorize the Board to set reasonable fees for land development application review services provided by the Department of Planning and Zoning; and

WHEREAS, under Virginia Code §§ 15.2-2316.1 and 15.2-2316.2, the Board adopted a Transfer of Development Rights ordinance on February 19, 2013, and established a Transfer of Development Rights program; and

WHEREAS, the Transfer of Development Rights ordinance requires the submission and review of applications and other required information; and

WHEREAS, the Board desires to adopt fees for the review of Transfer of Development Rights applications; and

WHEREAS, the Board finds that the public necessity, convenience, general welfare, and good planning and zoning practices require adoption of such an ordinance; and

WHEREAS, the Board is required and desires to consider public comments concerning the proposed fee changes;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 23rd day of April, 2013, that it be and hereby does authorize the County Administrator to advertise a public hearing to allow for presentation and comments by the public for the purposes of considering amending and reordaining the fee schedule to add fees for review services provided by the Department of Planning and Zoning for Transfer of Rights application review and other TDR-related services.

Item 14. Planning and Zoning; Ratify the County Administrator's Execution of a Multi-Encroachment Partnering Protection Agreement Following discussion, Mr. Sterling motioned, seconded by Mr. Schieber, to adopt proposed Resolution R13-136.

#### The Voting Board tally was:

Yea: (7) Cavalier, Milde, Schieber, Snellings, Sterling, Stimpson, Thomas

Nay: (0)

## Resolution R13-136 reads as follows:

A RESOLUTION TO RATIFY THE COUNTY ADMINISTRATOR'S EXECUTION OF A MULTI-YEAR ENCROACHMENT PARTNERING PROTECTION AGREEMENT FOR THE READINESS AND ENVIRONMENTAL PROTECTION INITIATIVE

WHEREAS, the Department of Defense's (DoD) Readiness and Environmental Protection Initiative (REPI) protects the Nation's military readiness, enhances relationships with communities, and preserves the environment; and

WHEREAS, REPI funds cost-sharing partnerships for the military with state and local governments and private conservation organizations, as authorized by Congress in 202 under Section 2684a of Title 10, United State Code; and

WHEREAS, partnerships obtain easements or other interests in land from willing sellers that preserve critical buffer areas near military installations; and

WHEREAS, the Board desires that Stafford County participate in the multi-year, multi-party agreement with the United Stated Department of the Navy for partnering opportunities in protection of suitable lands;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 23<sup>rd</sup> day of April, 2013, that it be and hereby does authorize the County Administrator to sign the Multi-Year Encroachment Partnering Protection Agreement between the United States of America Department of the Navy and Fauquier County, Stafford County, the Northern Virginia Conservation Trust, the Prince William Conservation Alliance, and the Land Trust of Virginia; and

BE IT FURTHER RESOLVED that the County Administrator or his designee provides the United States Department of the Navy with a copy of this resolution.

<u>Legislative</u>; <u>Closed Meeting</u>. At 3:52 p.m., Mr. Thomas motioned, seconded by Mr. Milde, to adopt proposed Resolution CM13-09.

## The Voting Board tally was:

Yea: (7) Cavalier, Milde, Schieber, Snellings, Sterling, Stimpson, Thomas

Nay: (0)

## Resolution CM13-9 reads as follows:

#### A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for discussion regarding (1) the potential acquisition of real property for a public purpose(s), including an academic presence and/or economic development; and (2) consultation with legal counsel regarding amending the agenda after it was adopted by the Board; and

WHEREAS, pursuant to Virginia Code Sections 2.2-3711(A)(3) and (A)(7), such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 23<sup>rd</sup> day of April, 2013, does hereby authorize discussion of the aforestated matters in Closed Meeting.

<u>Call to Order</u> At 4:37 p.m., the Chairman called the meeting back to order.

<u>Legislative</u>; <u>Closed Meeting Certification</u> Mr. Thomas motioned, seconded by Mr. Milde, to adopt proposed Resolution CM13-9(a).

#### The Voting Board tally was:

Yea: (7) Cavalier, Milde, Schieber, Snellings, Sterling, Stimpson, Thomas

Nay: (0)

## Resolution CM13-9(a) reads as follows:

# A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON APRIL 23, 2013

WHEREAS, the Board has, on this the 23<sup>rd</sup> day of April, 2013, adjourned into a Closed Meeting in accordance with a formal vote of the Board and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, the Virginia Freedom of Information Act, as it became effective July 1, 1989, provides for certification that such Closed Meeting was conducted in conformity with law;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors does hereby certify, on this the 23<sup>rd</sup> day of April, 2013, that to the best of each member's knowledge: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were discussed in the Closed Meeting to which this certification applies; and (2) only such public business matters as were identified in the Motion by which the said Closed Meeting was convened were heard, discussed, or considered by the Board.

Mr. Sterling motioned, seconded by Mr. Milde, to amend the agenda, moving Items 16 and 17 to the evening session.

The Voting Board tally was:

Yea: (7) Cavalier, Milde, Schieber, Snellings, Sterling, Stimpson, Thomas

Nay: (0)

Discuss Transfer of Development Rights Mr. Milde motioned, seconded by Mr. Cavalier, to "send TDR back to the Planning Commission to expand sending areas by returning to the previous version where the minimum lot size was two acres in areas designated as park land in the Comprehensive Plan. Also, change densities in receiving areas to accommodate new, potentially severed rights with options to be considered: Change in A-1 only up to three units per acre; include R-4, trailer parks; include B-3 in mixed-use/commercial-apartments; and examine the boundaries of the old UDAs for expansion. In addition, the Planning Commission must send (up or down) to expand sending areas as described without shrinking the boundaries of sending area." The Planning Commission was directed to return its review of TDR back to the full Board within ninety (90) days.

Mr. Sterling offered a friendly amendment that architectural standards be included in the Planning Commission's review of the receiving area at the Courthouse RDA and that this be included in the County's legislative initiatives that go to the General Assembly.

Prior to voting on Mr. Milde's motion to return TDR to the Planning Commission, Mr. Sterling motioned, seconded by Mr. Milde, to suspend the Board's Bylaws to enable Mr. Milde's initial motion to be considered by the Board and voted on at that time.

The Voting Board tally was:

Yea: (6) Cavalier, Milde, Schieber, Snellings, Sterling, Stimpson, Thomas

Nay: (0)

The Voting Board tally on Mr. Milde's motion, including Mr. Sterling's friendly amendment, was:

The Voting Board tally was:

Yea: (6) Cavalier, Milde, Schieber, Snellings, Sterling, Thomas

Nay: (1) Stimpson

<u>Public Information Presentation Regarding a Public/Private Transportation Act (PPTA) Proposal</u> Mr. Keith Dayton, Deputy County Administrator, gave a presentation and answered Board members questions. Mr. Dayton said that the presentation fulfilled the requirement of notifying the public about PPTA and that a public hearing was only necessary if the Board so desired. Mr. Milde said that PPTA was unchartered territory; that the Truslow Road design worked out well. Ms. Stimpson thanked Mr. Dayton.

Recess At 5:12 p.m., the Chairman declared a recess.

Call to Order At 7:05 p.m. the Chairman called the meeting back to order.

<u>Invocation</u> Ms. Stimpson gave the Invocation.

<u>Pledge of Allegiance</u> Boy Scout Troop 516 led the recitation of the Pledge of Allegiance to the Flag of the United States of America.

<u>Boy Scout Troop 516 Recognition – Hornaday Award</u> Eagle Scout Daniel Symon gave details of his project and talked about winning the Hornaday Award with the help of his troop, saying that 80% of his troop helped with the stormwater project in Leeland Station.

<u>Presentations by the Public</u> The following members of the public spoke on topics as identified:

Sue Gill - SHS Rebuild Elizabeth Chase - SHS Rebuild

Dean Fetterolf - Budget

Sarah Chase - SHS Rebuild; Budget

Jim Hill - Budget

Michael Gribik - Budget

Stephanie Johnson - Budget; Proposed Working Committee

Leanne Gribik - SHS Rebuild; Teacher's raises

Holly Hazard - Schools/Budget Katie Snyder - SHS Rebuild

Following public presentations, Ms. Stimpson said that the budget was done in partnership, adding that the Joint Board of Supervisors/School Board committee worked hard on it.

Planning and Zoning; Consider Reclassification of 2.66 Acres from B-2, Urban Commercial to R-1, Suburban Residential Zoning District Located at 26 Minor Drive Ms. Kathy Baker, Assistant Director of Planning and Zoning, gave a presentation and answered Board members questions. Mr. Romanello said that the reclassification resulted in the same tax rate as was currently on the property in question.

Mr. Snellings asked if the property owner was unaware of the zoning change. Ms. Baker said that Mr. Jackson believed that it only encompassed one-half acre for road improvements; he did not realize that it included the land on which his family home was located.

Mr. Milde asked about the property owner's right to subdivide his property. Ms. Baker responded saying that it is on a private road and there were other limitations which prevented subdivision.

The Chairman opened the public hearing.

No persons desired to speak.

The Chairman closed the public hearing.

Mr. Cavalier thanked Ms. Baker for doing a good job presenting the issue, adding that it was the result of a huge misunderstanding. He added that Mr. Jackson paid his taxes on time and that if the reclassification was denied it would place an undue burden on the family.

Mr. Cavalier motioned, seconded by Mr. Milde, to adopt proposed Ordinance O13-25.

The Voting Board tally was:

Yea: (7) Cavalier, Milde, Schieber, Snellings, Sterling, Stimpson, Thomas

Nay: (0)

## Ordinance O13-25 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN THE STAFFORD COUNTY ZONING ORDINANCE BY AMENDING THE ZONING DISTRICT MAP TO RECLASSIFY FROM B-2, URBAN COMMERCIAL ZONING DISTRICT TO R-1, SUBURBAN RESIDENTIAL ZONING DISTRICT, ON ASSESSOR'S PARCEL 12-5 WITHIN THE GRIFFIS-WIDEWATER ELECTION DISTRICT

WHEREAS, the Board, acting as applicant on behalf of the Jackson Family, is requesting a reclassification from B-2, Urban Commercial Zoning District to R-1, Suburban Residential Zoning District, on Assessor's Parcel 12-5, located within the Griffis-Widewater District; and

WHEREAS, the Board carefully considered the recommendations of the Planning Commission and staff, and the public testimony, if any, at the public hearing; and

WHEREAS, the Board determined that the requested zoning is compatible with the surrounding land uses and zoning; and

WHEREAS, the Board finds that public necessity, convenience, general welfare, and good zoning practice require adoption of this Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 23<sup>rd</sup> day of April, 2013, that the County Zoning Ordinance be and it hereby is amended and reordained, by amending the Zoning Map, to reclassify Assessor's Parcel 12-5 from B-2, Urban Commercial Zoning District to R-1, Suburban Residential Zoning District.

County Attorney; Establish a Special Assessment for the Embrey Mill Community Development Authority (CDA) and Authorize a Memorandum of Understanding with the Embrey Mill CDA and Nash Stafford, LLC, Regarding the Financing of Certain Infrastructure Ms. Bonnie France, bond counsel with McGuire Woods, gave a presentation and answered Board members questions including assuring the Board that the Memorandum of Understanding (MOU) specified that County would be reimbursed for all charges related to establishing the special assessment. Ms. France noted that members of the CDA would meet on an annual basis (at least) to review all costs associated with special assessment and the CDA.

Mr. Thomas asked how information relating to the charges would be passed onto potential homeowners. Ms. France said that the MOU contained a requirement that home owners be notified at the time of purchase, that it would be contained in the chain of title, the lender would be informed, and the cost taken into account at the time the mortgage was granted.

She added that buyers could call Municap to obtain all pertinent information. Ms. Stimpson asked if the purchaser had to sign an acknowledgment that they were aware of the CDA. Ms. France said that there was no acknowledgment but that she would work with Municap and realtors.

Mr. Schieber said that he had concerns about the initial disclosure, that County costs were covered, and that buyers were made aware. Ms. France said that the information was contained in the MOU, and that additional language could be added to Page 6, Paragraph 5G, that the Homeowner's Association (HOA) packet would contain complete information about the CDA, including space for the buyer's initials at the time of closing. Mr. Schieber said that in addition to buyer initialing, he would like for it to be printed on a different color paper so as to bring absolute attention to the document.

Ms. Stimpson asked about the ramifications to the County if the property was to fail. Ms. France said there were several mechanisms in place to ensure that there would be no financial burden to the County including a reserve fund to cover debt service for one year. The County's Treasurer, Ms. Laura Rudy, was responsible for collecting the special assessment at tax time each year.

The Chairman opened the public hearing.

The following persons desired to speak:

Holly Hazard

The Chairman closed the public hearing.

County Attorney, Charles Shumate, summarized the discussion stating that within the MOU, Page 6, Section 5G, Notice to Landowners..., would be added language requiring that notification of the special assessment be included within the HOA package, on a different colored paper, requiring the purchaser's initials at time of closing.

Mr. Schieber motioned, seconded by Mr. Thomas, to adopt proposed Ordinance O13-27, and with the stated changes to the Memorandum of Understanding.

The Voting Board tally was:

Yea: (7) Cavalier, Milde, Schieber, Snellings, Sterling, Stimpson, Thomas

Nay: (0)

## Ordinance O13-27 reads as follows:

AN ORDINANCE ESTABLISHING A SPECIAL ASSESSMENT FOR THE EMBREY MILL COMMUNITY DEVELOPMENT AUTHORITY AND AUTHORIZING A MEMORANDUM OF UNDERSTANDING WITH THE EMBREY MILL COMMUNITY DEVELOPMENT AUTHORITY AND NASH STAFFORD, LLC, REGARDING THE FINANCING OF CERTAIN INFRASTRUCTURE

WHEREAS, the Board of Supervisors (the "Board") of the County of Stafford, Virginia (the "County") created the Embrey Mill Community Development Authority (the "CDA") by Ordinance 012-43, enacted on December 18, 2012 (the "Ordinance"), and designated the boundaries of the CDA (the "CDA District"); and

WHEREAS, the CDA has requested that the Board establish a special assessment on property within the CDA District by resolution, adopted on March 25, 2013 (the "CDA Resolution"); and

WHEREAS, the Board proposes to set forth certain agreements with the CDA and Nash Stafford, LLC, as owner of the land within the CDA District (the "Landowner") pursuant to a Memorandum of Understanding among the County, the Landowner, and the CDA (the "Memorandum of Understanding"); and

WHEREAS, the CDA proposes to issue its bonds (the "Bonds") to finance certain infrastructure improvements benefiting the CDA District; and

WHEREAS, the issuance of the Bonds and the establishment of a special assessment on property within the CDA District and the actions contemplated by the Memorandum of Understanding will benefit the citizens of the County by promoting a strengthened economic base and additional business opportunities and will provide infrastructure improvements necessary or desirable for development or redevelopment within the CDA District; and

WHEREAS, the Board considered the recommendations of the CDA Board, the Treasurer, County staff, and the public testimony, if any, at the public hearing; and

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF STAFFORD, VIRGINIA:

1. Approval of Memorandum of Understanding. The Memorandum of Understanding is approved in substantially the form presented to the Board at this meeting, with such changes and corrections (including, without limitation, changes in the date thereof) as may be approved by the County Administrator or the Chairman of the Board, whose approval shall be evidenced conclusively by the execution and delivery of the Memorandum of Understanding. The County Administrator and the Chairman of the Board, or either of them, is authorized and directed to execute and deliver the Memorandum of Understanding.

- 2. Special Assessment. By agreement between the Landowner and the Board pursuant to the Memorandum of Understanding, special assessments to pay the costs of public improvements to benefit property within the CDA District are hereby established and apportioned in accordance with the Rate and Method of Apportionment of Special Assessments ("RMA") in substantially the form presented to the Board at this meeting. The CDA Board is authorized to approve or to provide for the approval of, from time-to-time, a Special Assessment Roll allocating the special assessment among the tax parcels within the CDA District in accordance with the RMA as such tax parcels exist as of the date of recordation of the RMA in the land records of the County and as such tax parcels may be changed. The CDA shall cause notice of the special assessments to be reported to the County's Treasurer or other County official responsible for the collection of taxes. The special assessments shall be liens on the taxable real property in the CDA District in accordance with the provisions of Virginia Code §§ 15.2-2404 et seq.
- 3. <u>Foreclosure Provisions.</u> The Board hereby elects the authority, provided under Virginia Code § 58.1-3965.2 to institute foreclosure proceedings with respect to delinquent special assessments on property (other than homeowner occupied residences) within the CDA District on the first anniversary date of any such delinquency.
- 4. <u>Further Actions.</u> The County Administrator and the Chairman of the Board or either of them and such officers of the County as either of them may designate are authorized and directed to execute and deliver all other agreements, certificates, contracts, and documents on behalf of the County as such officers deem necessary or desirable in connection with the matters set forth in the Ordinance, this ordinance, and the Memorandum of Understanding.
- 5. <u>Severability.</u> If any part, section, clause, or phrase of this ordinance, or any individual assessment levied hereby, is declared to be unconstitutional or invalid for any reason, such decision shall not affect the validity of any other portion hereof or assessment hereunder.
- 6. <u>Effective Date.</u> This Ordinance shall be effective immediately upon adoption.

<u>Planning and Zoning; Change Polling Place from Grafton Village Elementary School to Dixon-Smith Middle School</u> Ms. Kathy Baker, Assistant Director of Planning and Zoning, gave a presentation and answered Board members questions. Mr. Milde questioned whether Grafton Village Elementary School was being rebuilt or remodeled. Mr. Romanello answered that the elementary school was being remodeled. Mr. Cavalier called for a point of order.

The Chairman opened the public hearing. No persons desired to speak.

The Chairman closed the public hearing.

Ms. Stimpson motioned, seconded by Mr. Thomas, to adopt proposed Ordinance O13-24.

## The Voting Board tally was:

Yea: (7) Cavalier, Milde, Schieber, Snellings, Sterling, Stimpson, Thomas

Nay: (0)

## Ordinance O13-24 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 9-34, "DESIGNATED"

WHEREAS, pursuant to Virginia Code §§ 24.2-306 through 24.2-310, the voting precinct for each election district, and the polling place for each precinct, may be amended; and

WHEREAS, County Code Sec. 9-34 specifies Grafton Village Elementary School as the designated polling place for the Grafton precinct; and

WHEREAS, Grafton Village Elementary School will undergo renovations beginning in the summer of 2013, and will be inaccessible to the public during renovations; and

WHEREAS, the Electoral Board requests that the Board relocate the Grafton precinct polling place; and

WHEREAS, the Board desires to establish a new location for the Grafton precinct polling place; and

WHEREAS, Dixon-Smith Middle School falls within the Grafton precinct boundaries and would be a safe, suitable, and convenient polling place; and

WHEREAS, the Board carefully considered the recommendations of the Electoral Board, the Registrar's Office, County staff, and the public testimony, if any, at the public hearing;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 23<sup>rd</sup> day of April, 2013, that Stafford County Code Sec. 9-34, "Designated," be and it hereby is amended and reordained as follows, all other portions remaining unchanged:

## Sec. 9-34. – Designated.

Pursuant to authority contained in Virginia Code §§ 24.2-306—24.2-310, the voting precinct for each election district and the polling place for each precinct shall be as follows:

Election District	Precinct	Polling Place	
Falmouth	Gayle	Gayle Middle School	
	Falmouth	Conway Elementary School	
	Drew	Drew Middle School	
	Grafton	Grafton Village Elementary School  Dixon-Smith Middle School	

; and

BE IT FURTHER ORDAINED that this ordinance shall become effective upon adoption, but the change of the location of the polling place shall not be implemented into the conduct of any election until no objection is interposed by the United States Department of Justice, Civil Rights Section/Voting Rights Division.

<u>Finance and Budget; Adoption of the Calendar Year 2013 Tax Rates; Fiscal Year 2014 County Budgets and Appropriation; and Fiscal Year 2014-2023 Capital Improvement Program (CIP)</u> The Calendar Year 2013 Tax Rates were adopted as shown below in Resolution R13-100, including a reduction in the Boat Tax, the Motor Carrier Transportation Tax, and the Machinery Tools Tax to \$.0001.

Mr. Thomas motioned, seconded by Mr. Milde, to adopt proposed Resolution R13-100.

## The Voting Board tally was:

Yea: (7) Cavalier, Milde, Schieber, Snellings, Sterling, Stimpson, Thomas

Nay: (0)

## Resolution R13-100 reads as follows:

A RESOLUTION TO ESTABLISH THE CALENDAR YEAR 2013 TAX RATES

WHEREAS, the Virginia Code requires that the Board establish an annual levy of certain taxes for each calendar year; and

WHEREAS, a public hearing on the proposed calendar year 2013 tax rates was held on Tuesday, April 9, 2013, at 7:00 P.M., in the Board Chambers at the Stafford County Administration Center, located at 1300 Courthouse Road, Stafford, Virginia; and

WHEREAS, the Commissioner of the Revenue and the Treasurer require the timely establishment of tax levies to allow time for tax bills to be processed and received by the citizens;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 23<sup>rd</sup> day of April, 2013, that the following tax rates be and they hereby are established for the calendar tax year beginning January 1, 2013;

Classification	Rate Per One Hundred Dollars of Assessed Valuation
Real Estate (Section 58.1-3200, Code of Virginia (1950), as amended.)	1.07
Tangible Personal Property (Section 58.1-3500, Code of Virginia (1950), as amended. Includes all other classifications of personal property not specifically enumerated.)	6.89*
Boats or watercraft (Section 58.1-3506(A)(1.a)(1.b)(12)(28)(29), Code of Virginia (1950), as amended.)	.0001
Motor Vehicles Specially Equipped for the Disabled (Section 58.1-3506(A)(14), Code of Virginia (1950), as amended.)	.10
Personal Property Volunteer Fire & Rescue (Section 58.1-3506(A) (15)(16), Code of Virginia (1950), as amended.)	.0001
Camping trailers and recreational vehicles (Section 58.1-3506(A) (18)(30), Code of Virginia (1950), as amended.)	5.49
One motor vehicle owned and regularly used by a veteran who has either lost, or lost the use of, one or both legs, or an arm or a hand, or who is blind or who is permanently and totally disabled as certified by the Department of Veterans Services. In order to qualify, the veteran shall provide a written statement to the commissioner of the revenue or other assessing officer from the Department of Veterans Services that the veteran has been so designated or classified by the Department of Veterans Services as to meet the requirements of this section, and that his disability is service-connected. For purposes of this section, a person is blind if he meets the provisions of § 46.2-739 (Section 58.1-3506(A)(19), Code of Virginia (1950), as amended.)	.0001
Motor Carrier Transportation (Section 58.1-3506(A)(25), Code of Virginia (1950), as amended.)	.0001

Classification	Rate Per One Hundred Dollars of
	Assessed Valuation
All tangible personal property employed in a trade or business other than that described in Virginia Code § 58.1-3503(A)(1) through (A)(18), except for subdivision (A)(17) (Section 58.1-3506(A)(26), Code of Virginia (1950), as amended.)	5.49
Programmable computer equipment and peripherals employed in a trade or business (Section 58.1-3506(A)(27), Code of Virginia (1950), as amended.)	5.49
Personal Property Volunteer Sheriff's Deputy (Section 58.1-3506(A)(32), Code of Virginia (1950), as amended.)	.0001
Machinery and Tools (Section 58.1-3507, Code of Virginia (1950), as amended.)	.0001
Merchant's Capital (Section 58.1-3509, Code of Virginia (1950), as amended.)	.50
Mobile Homes (Section 58.1-3506, Code of Virginia (1950), as amended.)	1.07
Aircraft (Section 58.1-3506, Code of Virginia (1950), as amended.)	.0001
Garrisonville Road Special Service District (Sections 15.2-2400 through 15.2-2403, Code of Virginia (1950), as amended.)	.088
Warrenton Road Special Service District (Sections 15.2-2400 through 15.2-2403, Code of Virginia (1950), as amended.)	.000
Hidden Lake Special Service District (Sections 15.2-2400 through 15.2-2403, Code of Virginia (1950), as amended.)	.451
Hartlake Special Service District (Sections 15.2-2400 through 15.2-2403, Code of Virginia (1950), as amended.)	.00
Countywide Fire and Emergency Medical Services Tax District (Section 27-23.1, Code of Virginia (1950), as amended.)	.00

\* The tax rate for personal property is based on the assessed value, which is established at forty percent (40%) of the estimated fair market value. The effective tax rate would be stated as \$2.76 per \$100 of the estimated fair market value.

In 2004, the General Assembly capped the amount of relief the State will provide for Personal Property Tax Relief (PPTRA) at \$950 million per year. The PPTRA cap took effect on January 1, 2006. Stafford County's share of the state allotment is \$12.5 million. This allotment is to be distributed among all the qualifying vehicles. For tax year 2013, qualifying vehicles will be granted 40% relief.

Finance and Budget; Adoption of the Calendar Year 2013 Tax Rates; Fiscal Year 2014 County Budgets and Appropriation; and Fiscal Year 2014-2023 Capital Improvement Program (CIP) The FY2014 County Budgets were adopted as shown below in R13-98. It was previously recommended that Day School funding be incorporated in the School's budget. However, for FY2014, Day School funding remained in the County's budget.

Mr. Schieber talked about a shared services assessment as well as the very challenging budgeting process saying that it was tedious to obtain needed information and that the talent and tools available should be put to their best use without duplication of resources. He added that if things were done the same way, only the same results could be expected. That was why he believed that the Joint School Board/Board of Supervisors should meet in May to discuss an RFP for an independent source to analyze both County and School services and offer recommendations (prior to next year's budget season) on how to consolidate services, wherever possible, to best utilize staff and finances.

Ms. Stimpson said that something similar to Mr. Schieber's proposal was agreed upon last year. Mr. Schieber said there was an exchange between Ms. Stimpson and Ms. Stephanie Johnson but that nothing ever came of it. He suggested that he was not talking about staff-to-staff interface. Rather, he was talking about an independent, outsourced, impartial analysis of operations; that could be consolidated. The timeframe suggested was a meeting with the Joint Committee in May, followed by a proposed Resolution to both Boards in June, and a RFP on the streets in July to September timeframe.

Mr. Shumate conferred with Mr. Romanello and noted that neither a vote nor motion was required as the Joint Committee was already in existence and could address Mr. Schieber's proposal at its next meeting.

Mr. Thomas' amendment to proposed Resolution R13-98 read as follows: "Be it further resolved that contingent on the FY2013 audit demonstrating no less than \$2.4M in

Positive Results of Operation (PRO) after all reserves and all budgeted uses of PRO are funded in accordance with the Board's Principles of High Performance Financial Management, the Treasurer is authorized not to bill or collect the 2014 Vehicle License Fee (VLF), and the County Administrator is authorized to allocate the PRO for this one-time purpose, and to make any other necessary budget adjustments to comply with generally accepted accounting principles and the Board's Principles of High Performance Financial Management."

Mr. Thomas asked if contact was made with the County's bond counsel. Mr. Romanello said that the County's financial advisors were fine with Mr. Thomas' amendment to the proposed Resolution, adding that they believed that it was "clever" in a good way.

Ms. Stimpson asked for clarification on the new positions that were added in FY2014. Mr. Romanello talked about the part-time position, formerly with IT, being transferred to the Sheriff's Office and increased to full-time as the manager of the new CAD system; the full-time position in the Department of Social Services; and the two Parks, Recreation, and Community Facilities positions.

Mr. Milde asked if the Capital Improvements Program (CIP) should be voted on before the FY2014 budget, and asked if a change to the budget affected the CIP. Mr. Sterling replied, "No."

Recess: At 8:48 p.m., the Chairman declared a recess.

Call to Order: At 9:04 p.m., the Chairman called the meeting back to order.

Ms. Stimpson asked for the overall budget numbers, including the total last year (\$247.3M per Nancy Collins, Budget Division Manager); and the FY2014 total (\$252.9 per Ms. Collins) for an overall increase of \$5.6M. Ms. Stimpson asked how much of the increase was due to funding Virginia Retirement Systems (VRS). Mr. Romanello responded, "none;" the County took care of VRS increases in the current year's budget.

Ms. Stimpson asked for similar numbers on the School's budget. Mr. Romanello said that last year's Schools budget was \$106.9M. The FY2014 budget is \$109.5M for an increase of \$2.5M.

Mr. Thomas motioned, seconded by Mr. Sterling, to adopt proposed Resolution R13-98.

The Voting Board tally was:

Yea: (7) Cavalier, Milde, Schieber, Snellings, Sterling, Stimpson, Thomas

Nay: (0)

## <u>Proposed Resolution R13-98 reads as follows:</u>

A RESOLUTION TO APPROVE THE FISCAL YEAR 2014 COUNTY BUDGETS

WHEREAS, a public hearing on the proposed FY2014 budgets was held on Tuesday, April 9, 2013, at 7:00 P.M., in the Board Chambers at the Stafford County Administration Center, located at 1300 Courthouse Road, Stafford, VA; and

WHEREAS, the Board held budget work sessions at which Board members analyzed, deliberated, and reviewed citizen input; and

WHEREAS, the Board considered the recommendations of staff, citizen input at the budget work sessions, and the public testimony, if any, at the public hearing; and

WHEREAS, the Board desires to support special education students in the County, as identified by the County's Public Schools, by providing educational services in the least restrictive, most cost-effective environment, and within the community through shared responsibility between the County and Schools for day-school students; and

WHEREAS, refunding of Virginia Public School Authority (VPSA) refunding of outstanding bonds will result in one-time savings in the amount of \$3,097,000 in FY2014; and

WHEREAS as of the third quarter budget review, staff is projecting sufficient Positive Results of Operation (PRO) to increase the cash capital funding of the General Government Capital Improvements Plan by \$1 million and to reserve \$500,000 in unspent FY2013 contingency for the FY2014 contingency budget; and

WHEREAS the School Board's budget includes \$216,079 in carryover funds and per the financial policies, budget and appropriation of these funds will be considered after the FY2013 audit, and therefore, are not included therein;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 23<sup>rd</sup> day of April, 2013, that the FY2014 budgets for the various General Government Funds be and they hereby are adopted as follows:

## I. GENERAL GOVERNMENT FUNDS:

General Fund:	253,430,560
Operating Budget Transfer to Schools	109,526,921
School Debt Service/Capital Projects	26,826,510
Board of Supervisors	591,710
Capital Projects	2,747,670
Central Rappahannock Regional Library	5,067,220
Commissioner of the Revenue	2,723,530
Commonwealth's Attorney	2,956,070
Cooperative Extension	172,270
Corrections	7,926,280
County Administration	1,086,090
County Attorney	1,083,930
Clerk of the Circuit Court	1,470,850
Circuit Court	274,400
General District Court	101,750
Juvenile and Domestic Relations Court	66,590
Magistrate	9,330
15th District Court Services Unit	318,550
Debt Service County	11,219,790
Economic Development	743,110
Finance and Budget	1,579,320
Fire and Rescue	15,859,620
Human Resources	412,450
Human Services, Office of	2,074,410
Information Technology	2,161,750
Non-Departmental	2,975,180
Parks, Recreation and Community Facilities	10,858,950
Partner Agencies	1,608,024
Planning and Zoning	2,403,380
Public Works	4,272,100
Registrar & Electoral Board	459,610
Sheriff	23,896,020
Social Services	6,736,920
Transfer to CSA Special Revenue Fund	1,265,115
Treasurer	1,955,140

## **GENERAL GOVERNMENT FUNDS, continued:**

Asset Forfeiture Fund	300,000
CSA Private Day School Special Revenue Fund	2,850,000
Fleet Services Fund	4,392,602
General Capital Improvements Fund	1,732,563
Hidden Lake Special Revenue Fund	92,622
Garrisonville Road Service District Fund	216,000
Tourism Fund	1,300,000
Transportation Fund	5,890,000
Utilities Funds	42,304,279
; and	

BE IT FURTHER RESOLVED that the FY2014 School Budget be and it hereby is approved in the following amounts:

## II. <u>SCHOOL FUNDS</u>:

School	$\bigcap$ ner	atina	Fund
SCHOOL	Opci	aung.	Tunu

Instruction	187,997,963
Administration Attendance and Health	10,260,085
Transportation	14,469,534
Operation and Maintenance	22,980,883
Instructional Technology and Information Services	14,097,287
Food service	227,611
Facilities	287,721
Debt Service	461,909
Contingency	500,000
Total School Operating Fund	251,282,993
Construction Fund	2,332,000
Grants Fund	11,911,780
Health Services Fund	24,916,982
Nutrition Services Fund	13,040,603
Workers' Compensation Fund ; and	654,605

BE IT FURTHER RESOLVED that the Board intends that the increase in state and local funds be used by the School Board to implement a 2.5% salary increase, effective July 1, 2013 for all School employees, for the second phase, an additional 1% of the Virginia Retirement System (VRS) 5 and 5 funding requirement, and for a 2% salary increase for all employees, effective January 1, 2014; and

BE IT FURTHER RESOLVED that the implementation of the proposed Stafford County Public School partnership for at risk youth is delayed until FY2015. The Board of Supervisors will appoint a two person ad hoc committee to meet with two members of the School Board to report no later than December 31, 2013 on a partnership opportunity for at risk youth; and

BE IT FURTHER RESOLVED that \$332,000 be included in the local transfer to the Schools, contingent on continuation of a mutual memorandum of understanding, between the Superintendent and the County Administrator, to provide the continued support for current public day-school services; and

BE IT FURTHER RESOLVED that \$1 million in VPSA refunding savings be included in the Schools Operating Fund budget to be used for one-time purposes, as identified in the School Board's Approved budget and \$2 million be included in the Schools Construction fund to be used for capital projects as identified in the Capital Improvements Plan (CIP); and

BE IT FURTHER RESOLVED that \$1 million in FY2013 PRO be reserved to increase cash capital in the CIP and \$500,000 in FY2013 PRO be reserved to fund the FY2014 contingency reserve; and

BE IT FURTHER RESOLVED that contingent on the FY2013 audit demonstrating no less than \$2.4 million in Positive Results of Operations (PRO) after all reserves and all budgeted uses of PRO are funded in accordance with the Board's Principles of High Performance Financial Management, the Treasurer is authorized not to bill nor collect the 2014 Vehicle License Fee (VLF), and the County Administrator is authorized to allocate the PRO for this one time purpose and to make any other necessary budget adjustments to comply with generally accepted accounting principles and the Board's Principles of High Performance Financial Management; and

BE IT FURTHER RESOLVED the Board intends to convey properties known as Courthouse Square and Chatham Office Park, within 90 days, in lieu of annual appropriations for a period of three years. The Economic Development Authority is encouraged to market and sell the properties immediately to ensure they are returned to the tax rolls, and is to use the proceeds to advance economic development in the County; and

BE IT FURTHER RESOLVED that the County Administrator be and he hereby is authorized to recruit and maintain full-time positions up to the authorized full-time strength stated below:

General Fund

Non-Public Safety

Public Safety

328 331

Public Safety

350 351

Utilities Fund

Capital Projects Fund

Total

and

BE IT FURTHER RESOLVED that the Board will annually revisit authorization of the position added to the Social Services department; and

BE IT FURTHER RESOLVED that the Contribution Strategy for Employee Health Care, adopted in Resolution R09-165, be amended, effective April 1, 2014, as follows:

	Key Care 15		Key Care 30	
				Dependent
	Employee Only	Dependent Coverage	Employee Only	Coverage
FY2014	15%	20%	5%	10%
1				

; and

BE IT FURTHER RESOLVED that the County Administrator be and he hereby is authorized to implement a 1.0% market adjustment for County employees, effective July 1, 2013; and

BE IT FURTHER RESOLVED that the County Administrator be and he hereby is authorized to continue the Employee Pay for Performance Program, effective April 1, 2014, with an average salary increase of 2.0%; and

BE IT FURTHER RESOLVED that the County Administrator be and he hereby is authorized to approve contracts for the purchase of replacement public safety vehicles, consistent with the FY2014 budgets; and

BE IT STILL FURTHER RESOLVED that the Board approves the FY2014 Potomac and Rappahannock Transportation Commission subsidy of \$93,400, and the Virginia Railway Express subsidy of \$2,529,281, and authorizes the payment of the subsidies during FY2014 from the County's Motor Fuels Tax Revenue account.

Finance and Budget; Adoption of the Calendar Year 2013 Tax Rates; Fiscal Year 2014 County Budgets and Appropriation; and Fiscal Year 2014-2023 Capital Improvement Program (CIP)

Mr. Sterling motioned, seconded by Mr. Thomas, to adopt proposed Resolution R13-99.

The Voting Board tally was:

Yea: (7) Cavalier, Milde, Schieber, Snellings, Sterling, Stimpson, Thomas

Nay: (0)

#### Resolution R13-99 reads as follows:

A RESOLUTION TO APPROPRIATE THE FISCAL YEAR 2014 COUNTY BUDGETS

WHEREAS, the Board held budget work sessions at which members analyzed, deliberated, and reviewed citizen input;

WHEREAS, the public hearing was held on April 9, 2013 at 7:00 p.m. in the Board Chambers at the County Administration Center located at 1300 Courthouse Road, Stafford, VA on the proposed FY2014 budgets; and

WHEREAS, the Board considered the recommendations of staff, citizen input at the budget work sessions, and the public testimony, if any, at the public hearing;

WHEREAS, the Board is committed to maintaining the undesignated fund balance and wishes to retain adequate budgetary control given the challenging economic climate; and

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 23<sup>rd</sup> day of April, 2013, that General Fund General Government expenditures (other than debt service) and Local School Transfer (other than debt service) be and they hereby are appropriated at 95% of the adopted FY2014 Budgets; and

BE IT FURTHER RESOLVED that debt service be and it hereby is appropriated at 100% of the Adopted FY2014 Budgets; and

BE IT FURTHER RESOLVED that the Fiscal Year 2014 Budgets for the various General Government Funds be and they hereby are appropriated as follows:

(The rest of this page intentionally left blank.)

## III. GENERAL GOVERNMENT FUNDS:

General Fund:	242,744,022
Operating Budget Transfer to Schools	104,050,575
School Debt Service/Capital Projects	26,826,510
Board of Supervisors	562,125
Capital Projects	2,610,287
Central Rappahannock Regional Library	4,813,859
Commissioner of the Revenue	2,587,354
Commonwealth's Attorney	2,808,267
Cooperative Extension	163,657
Corrections	7,612,632
County Administration	1,031,786
County Attorney	1,029,734
Clerk of the Circuit Court	1,397,308
Circuit Court	260,680
General District Court	96,663
Juvenile and Domestic Relations Court	63,261
Magistrate	8,864
15th District Court Services Unit	302,623
Debt Service County	11,219,790
Economic Development	705,955
Finance and Budget	1,500,354
Fire and Rescue	15,066,639
Human Resources	391,828
Human Services, Office of	1,970,690
Information Technology	2,053,663
Non-Departmental	2,826,421
Parks, Recreation and Community Facilities	10,316,003
Partner Agencies	1,527,623
Planning and Zoning	2,283,211
Public Works	4,058,495
Registrar & Electoral Board	436,630
Sheriff	22,701,219
Social Services	6,400,074
Transfer to CSA Special Revenue Fund	1,201,859
Treasurer	1,857,383

## **GENERAL GOVERNMENT FUNDS**

Asset Forfeiture Fund	300,000
CSA Private Day School Special Revenue Fund	2,850,000
Fleet Services Fund	4,392,602
General Capital Improvements Fund	1,732,563
Hidden Lake Special Revenue Fund	92,622
Garrisonville Road Service District Fund	216,000
Tourism Fund	1,300,000
Transportation Fund	5,890,000
Utilities Funds	42,304,279

BE IT FURTHER RESOLVED that the Fiscal Year 2014 School Budget be and it hereby is appropriated in the following amounts:

## IV. SCHOOL FUNDS

School Operating Fund

Instruction	183,884,682
Administration Attendance and Health	10,035,555
Transportation	14,153,001
Operation and Maintenance	22,478,154
Instructional Technology and Information Services	13,788,969
Food service	222,682
Facilities	281,697
Debt Service	461,909
Contingency	500,000
Total School Operating Fund	245,806,649
Construction Fund	2,332,000
Grants Fund	11,911,780
Health Services Fund	0
Nutrition Services Fund	13,040,603
Workers' Compensation Fund	654,605

BE IT FURTHER RESOLVED that the Board intends to consider the appropriation of the Schools Health Services Fund following the receipt of detailed budget information from the Schools; and

BE IT FURTHER RESOLVED that the Board intends to consider the appropriation of the 5% balance of the General Fund, General Government budget (less debt service), and the Local School Transfer, following the mid-year review and

completion of the FY2013 audit, in consideration of the then current financial conditions; and

BE IT FURTHER RESOLVED that at the close of the fiscal year, all appropriations shall lapse for budget items other than capital projects, encumbrances, commitments, and grants. The County Administrator is authorized to maintain the following appropriations as noted or until the Board, by resolution or ordinance, changes or eliminates the designated appropriations:

- (i) Capital projects, until the completion of the project;
- (ii) Encumbrances and commitments; and
- (iii) Grant funds for the duration of the grant; and

BE IT FURTHER RESOLVED that in accordance with the Board's Principles of High Performance Financial Management, the Board will consider any requests for reappropriation of FY2013 unspent carryover funds for the County and Schools following the completion of the FY2013 audit and in consideration of the then current financial conditions; and

BE IT FURTHER RESOLVED that the County Administrator be and he hereby is authorized to increase budgets and appropriations for the following items of non-budgeted restricted revenue that may occur during FY2014:

- 1. Insurance recoveries received for damages to County properties for which County funds have been expended to make repairs;
- 2. Defaulted developer and builder securities to be used for uncompleted projects;
- 3. Donations for a specific purpose; and
- 4. Asset Forfeiture funds.
- 5. Excess roll-back taxes for Purchase of Development Rights pursuant to the County's financial policies.: and

BE IT FURTHER RESOLVED that the County Administrator be and he hereby is authorized to approve insurance settlements less than \$100,000, in concurrence with the County's insurance carrier; and

BE IT FURTHER RESOLVED that to comply with Governmental Accounting Standards Board Standards and Generally Accepted Accounting Practices, some projects or sets of accounts may need to be moved between funds, and the County Administrator be and he hereby is authorized to make such transfers; and

BE IT STILL FURTHER RESOLVED that to ensure the taxpayers of Stafford County are paying the lowest tax rates possible, all outside funding sources such as State Funds, Federal Funds, Proffers, and User Fees will be designated to be spent first, with any local matches that are required. After all these funds are spent, local tax dollars will be spent.

<u>Finance and Budget; Adoption of the Calendar Year 2013 Tax Rates; Fiscal Year 2014 County Budgets and Appropriation; and Fiscal Year 2014-2023 Capital Improvement Program (CIP)</u> Mr. Sterling motioned, seconded by Mr. Thomas, to adopt proposed Resolution R13-101.

Mr. Milde made a substitute motion, seconded by Mr. Cavalier to, "Remove all but \$25M of the Stafford High School borrowed funding, and remove \$2M in VPSA cash from the CIP, and reallocate the FY2014 debt service and cash to the instructional category. Further, ask the School Board to consider using that money, as well as the \$3.1M in debt service savings (annually) for an increase in School employee and teacher's raises, bonuses and stipends."

Mr. Thomas asked for clarification that a vote of "No" was a vote "Yes" for the Stafford High School rebuild. He added that his stance on the Stafford High School rebuild had not changed, and that he hoped that Mr. Milde's substitute motion failed.

Mr. Snellings said that he intended to vote "No." He met with Dr. Bridges and asked his opinion of remodel v. rebuild. Dr. Bridges told Mr. Snellings that it would mean moving 2000 students to the four other high schools, which were already at capacity, and which would mean implementing a split shift at all of the other County high schools – something he was very much against doing. Mr. Milde stated that he disagreed with Mr. Snellings and Dr. Bridges and that rebuilding Stafford High School was not a frugal use of taxpayer's funds.

Ms. Stimpson said that she supported rebuilding Stafford High School; that the two Boards worked together, adding that it was a good plan. School Board member, Meg Bohmke took her own time to look at the pipes underneath the existing building when it was determined that they were in such bad shape, along with the electrical and the HVAC, that renovating may exceed the cost of rebuilding. Ms. Stimpson added that she would vote "No" to Mr. Milde's substitute motion.

The Voting Board tally on the substitute motion was:

Yea: (2) Cavalier, Milde

Nay: (5) Schieber, Snellings, Sterling, Stimpson, Thomas

Mr. Sterling called the question.

The Voting Board tally on the original motion was:

Yea: (6) Cavalier, Schieber, Snellings, Sterling, Stimpson, Thomas

Nay: (1) Milde

## Proposed Resolution R13-101 reads as follows:

A RESOLUTION TO ADOPT THE FISCAL YEAR 2014-2023 CAPITAL IMPROVEMENTS PROGRAM WITH INTENT TO REIMBURSE CERTAIN CAPITAL IMPROVEMENT EXPENDITURES

WHEREAS, a public hearing on the proposed FY2014-2023 Capital Improvements Program (CIP) was held on Tuesday, April 9, 2013, at 7:00 P.M. in the Board Chambers at the Stafford County Administration Center, located at 1300 Courthouse Road, Stafford, VA; and

WHEREAS, the Board considered the recommendations of the County Administrator, and the testimony, if any, at the public hearing; and

WHEREAS, the ten-year CIP is a significant part of the Comprehensive Plan; and

WHEREAS, the Board finds that it is necessary to identify needed capital improvements;

NOW, THEREFORE BE IT RESOLVED by the Stafford County Board of Supervisors on this the 23<sup>rd</sup> day of April, 2013, that the FY2014-2023 CIP, as directed by the Board be and it hereby is adopted as part of the Comprehensive Plan; and

BE IT FURTHER RESOLVED that Intent to Reimburse certain Capital Improvement expenditures for projects indicated in the FY2014-2023 CIP be and it hereby is adopted as follows:

#### **General Government**

Land Acquisition
Fire & Rescue Apparatus Replacement

Fire and Rescue Training Center Fire and Rescue Station 14

Fire and Rescue Station - Centerport

E-911 System

Information Technology Infrastructure

Chichester Park
Curtis Park Pool
Park at Embrey Mill
Duff McDuff Green Park
St. Clair Brooks Park
Mountain View Site
Patawomeck Park
John Lee Pratt Park

Park at Rocky Pen Run Reservoir

Indoor Recreation Facility at Embrey Mill Parks Recreation and Community Facilities

Infrastructure Animal Shelter Route 608, Brooke Road, South of Eskimo Hill Rd

Route 616, Poplar Road, North of Truslow Rd Route 616, Poplar Road, South of Mt View Rd Route 627, Mt View Rd From Joshua Rd To Rose

Hill Farm Rd

Route 17, Warrenton Rd Route 606, Ferry Rd

Courthouse Rd & Rt 1 Intersection Improvements

Route 630, Courthouse Rd: Cedar Lane to

Winding Creek Rd

Route 630, Courthouse Rd: Winding Creek Rd to

Sheldon Shop Rd Pedestrian Improvements Poplar Road Phase 1

Route 627, Mt View Rd Ext. to High School

Staffordboro Parking Lot Streetscape Phase 1 Streetscape Phase 2

Garrisonville Rd & Rt 1 Intersection Improvements

Stafford Parkway

Courthouse Addition

Library

Bike Trails

Belmont Ferry Farm Trail - Phase 4 Belmont Ferry Farm Trail - Phase 6 Stormwater Permit Compliance Route 610, Garrisonville Rd

Route 652, Truslow Road, East of I-95 Route 652, Truslow Road, West of I-95

Route 1, Jefferson Davis Highway

**Enon Road Improvements** 

Butler Road

Garrisonville Rd., Eustace Rd. to Shelton Shop Rd.

Eskimo Hill Road Leeland Road Shelton Shop Road

Mt. View Rd, Shelton Shop to Choptank Road

Falmouth Safety Improvements Boswell's Corner Improvements Courthouse Area Improvements

#### **Schools**

Stafford High School Rebuild
Fiber Optic Network
Moncure Elementary Rebuild
Ferry Farm Elementary Rebuild
Career & Technical Center
Elementary School #18 w/Headstart
Grafton Village Elementary Renovation

Brooke Point HS Addition Colonial Forge HS Addition Mt. View HS Addition Hartwood Elementary Renovation Fleet Services Addition

Infrastructure

# NOTICE OF INTENT TO REIMBURSE CERTAIN CAPITAL IMPROVEMENT EXPENDITURES

<u>Section 1: Statement of Intent</u>. The County presently intends, at one time or from time-to-time, to finance projects in the FY2014-2023 Capital Improvements Program ("Projects") with tax-exempt or taxable bonds, or other obligations ("the "Bonds"), and to reimburse capital expenditures paid by Stafford County (including expenditures previously paid by the County to the extent permitted by law) in connection with the Projects before the issuance of the Bonds.

Section 2: Source of Interim Financing and Payment of Bonds. Stafford County expects to pay the capital expenditures related to the Projects, and incurred before the issuance of the Bonds, with an interfund loan or loans from the General Fund or funds from temporary appropriations or loans from the General Capital Projects Fund. Stafford County expects to pay debt service on the Bonds from the General Fund consisting of general tax revenues for the projects to be financed in the FY2014-2023 Capital Improvements Program. The maximum amount of Bonds expected to be issued for the Projects is \$387,827,557.

<u>Section 3: Effective Date; Public Inspection</u>. This resolution is adopted for the purposes of complying with Treasury Regulation Section 1.150-2 or any successor regulation, and shall be in full force and effect upon its adoption. The Clerk of the Board shall file a copy of this resolution in the records of Stafford County, available for inspection by the general public during Stafford County's normal business hours.

<u>County Administration; Execute a Contract for Construction of Chichester Park</u> Mr. Keith Dayton, Deputy County Administrator, gave a presentation and answered Board members questions.

Mr. Sterling motioned, seconded by Mr. Snellings, to adopt proposed Resolution R13-58.

The Voting Board tally was:

Yea: (6) Cavalier, Schieber, Snellings, Sterling, Stimpson, Thomas

Nay: (1) Milde

## Resolution R13-58 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH GULF SEABOARD GENERAL CONTRACTORS, INC., FOR THE CONSTRUCTION OF CHICHESTER PARK, AND TO BUDGET AND APPROPRIATE FUNDS FOR THE CONTRACT

WHEREAS, the construction of Chichester Park was approved by the citizens of Stafford County as part of the 2009 Park Bond Referendum; and

WHEREAS, the design for Chichester Park was completed and the construction contract was offered for public bid; and

WHEREAS, six bids were received; and

WHEREAS, staff determined that the bid in the amount of \$8,373,000, received from Gulf Seaboard General Contractors, Inc., was the lowest responsive and responsible bid; and

WHEREAS, staff determined that this bid is reasonable for the scope of work proposed; and

WHEREAS, funds are budgeted and appropriated in the FY2013 Capital Projects Fund for park projects, including Chichester Park; and

WHEREAS, proffers totaling \$211,000 are available in the General Fund, and may be used for park improvements County-wide, including Chichester Park;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 23<sup>rd</sup> day of April, 2013, that the County Administrator be and he is hereby authorized to budget and appropriate in FY2013, Two Hundred Eleven Thousand Dollars (\$211,000) in park proffers from the General Fund for construction of Chichester Park; and

BE IT FURTHER RESOLVED that the County Administrator is authorized to execute a contract with Gulf Seaboard General Contractors, Inc., for the construction of Chichester Park, in an amount not to exceed Eight Million Three Hundred Seventy-three Thousand Dollars (\$8,373,000), unless modified by a duly-authorized change order; and

BE IT STILL FURTHER RESOLVED that intent to reimburse for the Chichester Park project be and it hereby is adopted as follows:

## NOTICE OF INTENT TO REIMBURSE CERTAIN CAPITAL IMPROVEMENT EXPENDITURES

<u>Section 1: Statement of Intent.</u> The County presently intends to finance the Chichester project with tax-exempt or taxable bonds or other obligations (the "Bonds") and to reimburse capital expenditures paid by Stafford County (including expenditures previously paid by the County to the extent permitted by law) in connection with the Chichester project before the issuance of the Bonds.

Section 2: Source of Interim Financing and Payment of Bonds. Stafford County expects to pay the capital expenditures related to the Chichester Park project incurred before the issuance of the Bonds with an inter-fund loan or loans from the General Fund or from temporary appropriations or loans from the Capital Reserve Fund. Stafford County expects to pay debt service on the Bonds from the General Fund consisting of general tax revenues for the Chichester Park project.

<u>Section 3</u>: <u>Effective Date</u>; <u>Public Inspection</u>. This Resolution is adopted for the purposes of complying with Treasury Regulation Section, 1.150-2, or any successor regulation, and shall be in full force and effect upon its adoption. The Clerk of the Board shall file a copy of this Resolution in the records of Stafford County available for inspection by the general public during Stafford County's normal business hours.

<u>Infrastructure Committee</u>; <u>Provide Direction on Design Elements of the Indoor Recreation Center at Embrey Mill</u> This item was deferred to the May 7<sup>th</sup> meeting.

Adjournment: At 9:35 p.m. the Chairman declared the meeting adjourned.

Anthony J. Romanello, ICMA-CM
Susan B. Stimpson
County Administrator
Chairman